Democratic Assassination:
The Morality and Efficiency of Targeted Killings as a Policy Tool

A Senior Honors Thesis

By

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CHAPTER 1: ABSTRACT

As early as 1516, Thomas More proposed that the assassination of political leaders could be useful both as a tool of statecraft and "as a means of sparing ordinary citizens the hardships of war for which their leaders were responsible."[1] This proposal of tyrannicide, while perhaps a bit shocking in its boldness, rightfully deserves consideration in an era in which the traditional state expression of power, war, now threatens to be more catastrophic than ever before. Democratic states, which seek to minimize human suffering, must now seriously consider assassination as an alternative to war. This thesis is a study of the overall feasibility and justification of political assassination as a tool of foreign policy for democratic states. It is intended to be as

normative in its suggestions for utilizing assassination as it is descriptive of assassination's moral concerns and historical efficiency.

Although democracies seek to avoid violence, it cannot be completely foresworn, and democratic assassination policies seem to be a possible means of dealing with otherwise unmanageable authoritarian leaders and terrorists. As a result, assassination is a much more efficient and morally justified means of international policy than war. Assassinations are highly moral because they per se minimize the destruction done to human welfare. As well, assassinations are highly efficient, in that they frequently lead to favorable changes in policy, as seen from the perspective of the assassinating nation. Moreover, they are inexpensive in contrast to policing actions or formal wars, and have fewer negative international repercussions.

Violence itself should remain the last resort for democratic states, but when democracies must engage in violence, assassination should be their primary option, not their last resort.

CHAPTER 2: INTRODUCTION TO ASSASSINATION

This thesis is a study on the overall feasibility and justifiability of political assassination as a tool of foreign policy for democratic states. This often-taboo question is an important issue for political science because it touches upon and challenges fundamental notions such as 'democracy,' 'violence,' and 'legality.' During the course of this essay, I shall discuss some essential features of democratic states and how some of their most prominent features relate to the types and methods of international policies that they engage in. In doing this, I seek to answer the question, "Should democratic-states

consider assassination in their list of policy tools?" This normative question may be considered to be a combination of two other questions, namely, "Are democratic states justified morally in engaging in political assassination?" and "Is political assassination an efficient method of obtaining political goals?" I argue that that the answer to both of these questions is a qualified, but definitive yes.

Because I utilize these terms throughout this discussion of assassination (the term itself will be defined later on) more fully, I will need to provide useful and relatively non-controversial definitions of the terms 'democracy', 'violence', 'legality', 'morality', and 'efficiency'. While recognizing the complexity of these concepts, I shall provide minimal definitions of them for the purposes of this argument. By 'democracy' I mean a state in which some of its political leaders are at chosen by an at least partially free and fair election process in which a significant segment of the populace participates. 'Violence' is an act of force undertaken by a state, for a political aim, in which the target is threatened or meets with a significant loss of property, rights, physical welfare, or even life as an intended consequence of this action. 'Legality' is the measure of whether an action conforms to formally agreed-upon international laws and conventions governing the relationships between states. 'Morality' is the concern for right and wrong action, or what should and should not be done, ceteris paribus. The 'efficiency' of assassination refers to whether assassination is effective in producing its desired results, while at the same time not being significantly costlier than other forms of violence or worse, counterproductive, by inducing an effect opposite to the desired outcome.

I will seek to define more narrowly the scope of what is meant here by 'assassination,' as there are many definitions of the term, involving distinctions between agents, victims,

and the circumstances under which the killing occurs. My argument does not deny that there are other types of assassination worthy of study in their own right; rather, it does recognize that the majority of cases of assassination fall outside the realm of inter-state relations. I do claim here that of all the types of assassination, democratic state-sponsored assassination is the most significant because of the broadness of its effects and its implications for international law and relations. From a realist perspective, states are the primary actors in the international community; moreover, the majority of the strongest states are democracies. Other types of assassination carried out by individuals or organizations only rarely have significant political outcomes—the assassination of Archduke Franz Ferdinand which led to World War I, is an oft-cited counterexample. While non-state assassinations are interesting events that warrant study, they generally lie beneath the radar of international relations. In addition, authoritarian state-sponsored assassinations may have played significant roles within history, but they are less worthy of study for three reasons. Firstly, they are not morally controversial, since authoritarian states do not usually feel constrained by ethical considerations. Additionally, such states are the least likely to fear international condemnation or similar responses which stop short of violent retribution. Thirdly, modern authoritarian states have only rarely engaged in political assassination, and have largely engaged in targeted killing internally as a form of policing.

The word 'assassination,' like many other fundamental terms in international studies, is a concept whose definition is frequently disputed. However numerous, proffered definitions generally agree that assassinations must be political in some way, and involve the murder of a prominent and symbolic figure, though they disagree fiercely regarding

the manner, justification, and aim of the killing, as well as in the characteristics of the perpetrator and the victim. Additionally, sometimes these definitions are less than neutral in connotation, and in this way they hinder an objective discussion of assassination. For example, when Mark M. Lowenthal states that "assassination also raises the specter of reprisal. An absence of rules cuts both ways,"[2] it is clear that he views assassination as an illicit killing. Michael Gross believes that assassination is always an extra-legal killing, whether a domestic or an international phenomenon, and thus automatically precludes any possible legal or legitimate role for assassination.[3] Former Director of Central Intelligence Stansfield Turner believes that the standard American perception of the word 'assassination' is so pejorative that it is felt to be an inherently immoral killing.[4] The historian Elie Barnavi's definition does not explicitly state that killing or political symbolism is relevant to assassination, and is remarkably terse in proclaiming that "political assassination is the shortest way to attain a political goal."[5] For Sun Tzu, assassination was nothing more than the specific killing of an enemy general, or even envoy at times, and was a standard military tactic.[6] In his seminal *The Prince,* Machiavelli himself did not differentiate between standards of applications of violence, and thus 'assassination' is no different for him than 'war.'[7] I would like to discuss 'assassination' in as objective a light as possible and have chosen to define 'assassination' minimally, in order to retain a neutral perspective on its features, while still retaining a focus upon democratic states being potential assassins. Thus, except in places in which I refer to criticisms or alternative views of assassination itself, I define and employ 'assassination', as being the 'intentional democratic state-sponsored killing of a prominent political leader, whether of a nation or of a sub-state organization, external

to the state itself'. Under this definition, this paper does not concern itself with extra-legal state homicides against its own citizens or engaged against terrorists, guerrillas, or the like, in external policing or military actions, unless they are prominent members of the organization and they are killed for that very reason.

The literature discussing the practicability of assassination involves a great number of differing perspectives on its justification and efficacy. Historically, answers to the question of whether rational-minded, democratic states should engage in political assassination range from "never," through medieval notions of '*jus ad bellum*' (an appeal to engaging in any tactic during a war, so long as the aim is just) to the more Machiavellian 'always.' However, most contemporary debate frames possible answers as lying in the spectrum between 'never'[8] and 'only as a last resort.'[9] That is, in those exceptional situations where democratic states feel that the use of violence, always a last resort for them, is necessary, assassination is always considered a last, desperate choice, usable only when all other alternatives have been exhausted. I would like to take issue with this viewpoint because it appears to me that assassination is in nearly all circumstances quite a superior choice to other forms of political violence. Moreover, I suggest that a closer examination of the phenomenon of political assassination itself, together with the arguments regarding its moral justification and its historical record of effectiveness, lead to this conclusion. I do not seek to give democratic states carte blanche to employ violence or assassination willy-nilly, but rather I concur with the standard democratic value that violence is always a least desirable alternative. However, when violence cannot be avoided, assassination should be the first form of violence considered by responsible democratic states, and not the last.

So why is democratic state-sponsored assassination an important subject for study? It should be first asked why a state might assassinate in the first place. Historical motivations that have persuaded individuals and groups to assassinate are rather diverse—inter alia, they include the domestic killing of political opponents, the terrorization of a target group, revenge killing, and tyrannicide.[10] These reasons suggest that assassination is a sub-class of murder with some political motivation behind the act. If assassination is merely murder, then democratic states, in their adherence and respect for international laws, their condemnation of violence in general, and their high regard for human life, would never condone it. But there are situations in which violence is levied against them, and so democratic states are faced with the quandary of how they should best react to militant states and terrorists.

Driven by political exigency, democratic states do undoubtedly engage in acts of violence that amount to murder, often in the form of large-scale human deaths. Though resistant to entering wars, as exemplified by the United States' late entry into both World Wars, or perhaps by Britain's and France's 'appeasement' of Hitler's Germany, democratic states nonetheless do fight armed conflicts, just like other states They also resort to smaller forms of violence, such as unofficial wars, 'police actions', and 'peacekeeping missions,' in which the levels of threatened and actual violence are lower than in full-scale wars. There are also forms of violence which are not conventionally thought of as such, but which nonetheless produce a significant loss of human life, such as economic sanctions. This policy is a frequent favorite of democracies, especially the United States. It seems quite strange, however, that democratic states would prefer this mode of violence to others. Karl Mueller and John Mueller note this problem, saying

"the irony is that in contrast to the others, this device -- economic sanctions -- is deployed frequently, by large states rather than small ones, and may have contributed to more deaths during the post-Cold War era than all weapons of mass destruction throughout history."[11] Thus if violence is at times necessary, it is clear that the question of how democratic states can achieve their goals while minimizing bloodshed should be seriously considered from a moral viewpoint.

There is also an efficiency component to the question of why states should consider assassination as a political weapon. Democracies do not necessarily believe that violence cannot solve problems for them, but they deem it undesirable to resort to violence if there are alternatives. However, the notion of violence, while restrained domestically, is not obsolete by any means, and in general democratic states frequently make use of violence to achieve their political objectives when other forms of power have proven ineffective, whether in the case of the ill-fated 1961 Bay of Pigs invasion of Cuba, or the declaration of war against Iraq in 1990 in response to the latter's invasion of Kuwait. They have also made use of assassination: during the Cold War—as revealed by the 1975 Senate Select Committee on Intelligence, there were many assassination attempts against foreign leaders, including Fidel Castro of Cuba, Rafael Trujillo of the Dominican Republic, and Patrice Lumumba of the Congo.[12]

For the purpose of this essay I shall assume that political leaders have a high impact on the policies of their states or organizations, because those with less political power necessarily have less of a direct influence on these policies, and answer to their superiors. As well, the zeitgeist has passed in which leaders can be insulated from political violence and not held morally responsible for the actions of their states. If political leaders are

able to engage in violence which directly affects the lives of hundreds of thousands or millions of their constituents, then they are not only highly influential actors, but also may be held accountable for such violence. It follows then that the targeted killing of hostile foreign leaders is a highly salient way in which democratic states can strongly affect the policies of their victim states, even if they cannot easily direct the courses taken by successive leaders. Outside of assassinating a particularly antagonistic leader, changing an enemy state's policies could be otherwise difficult or impossible to achieve. A well-developed assassination policy may not even require frequent acts of assassination; the mere threat of a targeted killing overhanging a leader may have the desired effect of projecting power to other nations without a need to actively exert it. State leaders will become mindful of their own targetability, and will tend to behave less aggressively and violently towards democracies. This subtle form of coercion can in principle be accomplished with much less financial and human cost than war involves. Thus, were powerful democracies to use assassination as a policy tool, there would be fewer tyrants, warmongers, and terrorists within the international community. Even if violence is sometimes regrettably necessary for democracies to engage in, then it is clear that the question of assassination should be taken seriously from the perspective of efficiency.

But prima facie there are many moral and pragmatic arguments which challenge these lines of reasoning, and lead democratic states away from accepting assassination as one of several options in their relations with other states. These generally appeal to moral considerations of upholding international law, as well as pragmatic concerns of whether assassination is actually efficient. Although the international system of states allows for

the use of force, this is only in exceptional situations, chiefly limited to formal war or large-scale interventions.[13] Most democracies are respectful and considerate of operating within legal boundaries and generally take assassination to be any extra-legal killing. As well, assassination may fail to change targeted opponents' behaviors, or may even be counter-productive by further radicalizing them. If the nature of states and organizations is such that any one person, no matter how charismatic or technically skilled, is relatively expendable and replaceable, then assassination will have little effect. Equally, assassination can serve to stiffen the resistance of an enemy rather than undermine it. Thus, an assassination may not bring about the desired policy change, and as a result, could prove to be pointless, embarrassing or even self-defeating. If any of these transpire, then the reasons against assassination would outweigh those for it.

CHAPTER 3: THE MORAL ARGUMENT

Ultimately, the question of whether democratic states should engage in political assassination depends upon whether political assassination can be morally justified as a good act, and whether it is an efficient policy, enabling states to achieve their political aims at a lower cost than other means. The moral question will be considered first, because the majority of arguments against assassination as a policy tool decry its ethicality. Moreover, because I have already established why prima facie states would want to consider resorting to political assassination, the question of whether states are morally excused in assassinating strikes me as being more fundamental than under what circumstances this assassination would prove useful for them. Additionally, the pragmatic question of assassination is a narrower issue than the moral question, and

democratic states are quite responsive to issues of moral constraints. This makes an inquiry into the efficacy of democratic assassination largely irrelevant if such a policy is inherently immoral; although even if this were the case, then there would be applications for non-democratic states. In order to determine the morality of assassination, a rubric should be created which countenances acts of violence in general if certain criteria are met. Senior intelligence analyst Mark Lowenthal endorses a view offered by James Barry, who argues that morally guided decisions include satisfying the moral considerations of "just cause, just intention, proper authority, last resort, high probability of success, proportionality, and the level of discrimination and control."[14] For an assassination to be moral, each of these considerations regarding the decision must be carefully weighed. These factors will form the basis of my assessment of the morality of assassination. I would like to highlight that these criteria are remarkably similar to the six categories of the Weinberger Doctrine, which the United States employs as a moral rubric for its conduct of policies of warfare and military intervention.[15]

Traditionally, assassination is held to be a different class of violence than warfare, an inferior or less acceptable form of violence. But, for reasons that will soon become apparent, I will show this distinction to be chimerical. That is, the arguments which I trace below, in which I discuss the moral applications of violence itself, will be the same sorts of moral guidelines which restrict assassination. Furthermore, I will demonstrate that assassination is actually more moral than other modes of violence, and while the types of concerns relating to assassination are the same as those which relate to warfare, interventions, or economic sanctions, it is ultimately far greater in its morality than these other types of violence.

Indeed, this point forms the foundation of my central thesis, which is that not only is political assassination a potentially moral act (when used in circumstances when the only option is recourse to violence), but that it is a preferable form of violence to any other. Stated more simply, assassination is far more moral a means of obtaining international political goals in the face of an enemy than the commonest alternative, war (or the threat thereof). Assassination is far less costly than war in terms of money, resources, and most importantly, human welfare and lives. Thus, it is far more moral than trade sanctions or war, commonly preferred alternatives.

Some believe that if there are serious practical benefits to be obtained, no moral justification of international violence, and hence, assassination, should ever be necessary. Clausewitz famously said in his seminal On War that "to introduce into the philosophy of war a principle of moderation would be an absurdity—war is an act of violence pushed to its utmost bounds." Echoing this sentiment, many modern historians and political scientists descriptively note that "the ethical rules governing violence by individuals in national societies, especially in democratic political systems, do not generally apply to the use of international military violence."[16] From a practical perspective, this may be correct. War is an absurd exaggeration of game theory in which many of the players risk and lose their lives, or at least welfare. Often persons who are ignorant of the game or who refuse to play meet with more violence than the combatants themselves. If states only seem to concern themselves with the pragmatic concerns of war, then why should the issue of morality even be brought up? To answer this I only need briefly repeat the words of William Tecumseh Sherman, one of the most successful Union generals during the American Civil War: "War is Hell." War and other forms of human violence ought to

be minimized because they are entirely painful, destructive, and deadly. In other words, violence is in general an immoral act, that is, ceteris paribus it should never be resorted to, or if in a situation in which violence is necessary, the least violent option should be chosen. Furthermore, if violence is not minimized, then, it threatens to self-perpetuate and increase the occurrence of more wars, violent crime, and other forms of political violence, bringing about a chain of future immoral actions.[17] Civil society cannot endure, let alone thrive, in the presence of excessive violence, and if 'flourishing' or 'development' or even mere 'survival' is the goal of a culture, then that society is quite reasonably justified in morally proscribing violence. The historian Greg Woolf notes that it is this realization that violence is so destructive that democracies as a whole consider it morally repugnant. According to him, "liberal democracy and its limits set the terms for all modern considerations of assassination. For those of us lucky enough to live in civil societies, political murder is very unusual, and when it occurs, it feels like an assault on the moral foundations of the state."[18]

I approach general moral theory as attempting to guide one's actions through consequentialist models, which hold that moral decisions are to be made on the basis of considerations of how to maximize possible good, while minimizing its opposite. In international relations, 'good' may be tied to notions of promoting peace, economic stability and growth, sufficient food, sanitation, health services, and in short, anything conducive to general human welfare. The 'bad' include items such as suffering, death, disease, lawlessness, economic collapse, poverty, and crime. I include human violence to be a significant member of this group of undesirable evils.

However, violence is a frequent, if not necessary, component of international relations. It is an unfortunate characteristic of the international system that it is anarchic, meaning that democratic states have no authority to which they may turn when threatened by aggressors. Machiavelli notes that "it has always been held and proclaimed by wise men *quod nihil sit tam infirmum aut instabile quam fama potentiae non sua vi nixae,*"[19] that 'there is nothing that is as unhealthy and unstable as power which does not rest upon one's own capabilities.' Accordingly, democratic states must sometimes engage in violence in order to achieve their political objectives. But in general, the international community permits states the use of force in only two situations, internally, for law enforcement, and externally, for the sake of just war. Moreover, states do not get carte blanche to use any means of violence they deem necessary once their cause is seen as legitimate; just as there is *jus ad bellum,* or the just situations in which violence is acceptable, there are also considerations of *jus in bello,* or constraints on the form that legitimate violence can take. *Jus in bello* may also be thought of as the humanitarian laws of war. That is, even if violence is justified in its application, democratic states are constrained in how they utilize that violence.

Because the most powerful state within the international system is also democratic, I shall tend to focus on examples relating to the United States. Its prestige, prominence, plenitude of hard and soft power, and democratic system of government make it especially suitable as a subject in examination of the limitations which are set upon international violence. Despite its power, it has proven sensitive to international and domestic approval of its usage of violence.

Moral considerations of assassination may be thought of as comprising two categories. The first type of concern deals with the moral legitimacy of the act itself, that is under what situations the killing of a political figure is permissible to democratic states. When is it appropriate to kill a political leader, in order to accomplish the goal of preventing future acts of violence? This is the famous Machiavellian question of whether the ends justify the means. I will argue that this situation can be a highly moral one, provided that certain criteria are satisfied.

The second moral concern is the legal issue. Democracies are highly committed to the ideals of law, because they believe that law is a codification of moral statements, contrary to older and more cynical views of law which hold that law is the codification of the desires of those who are in power.[20] Yet despite their reasons to assassinate, they may not, because under current international norms, assassination is considered improper and according to some interpretations of international law, illegal. Thus, under what circumstances may democracies break this norm, in order to bring about a greater good? In a related discussion, I shall explain why the international restrictions on assassination exist, and show that it itself is not a moral law, and should be repealed. Even if it will not be repealed, I will argue that the breaking of this law has no negative moral consequence.

CHAPTER 4: ASSASSINATION AS MORAL

So what are the moral constraints on states' use of violence, both *jus ad bellum*, and, more importantly, *jus in bello*? Often assassination is criticized for being inherently immoral in some way. I argue against this by noting that in any case of violence, the act may be thought of as being moral if James Barry's seven criteria for morality are

followed. Again, these factors are: just cause, just intention, proper authority, last resort, high probability of success, proportionality, and a high level of discrimination. I will argue that all seven of these factors can be followed in constructing a sensible assassination policy, making such a systematic policy of targeted killing a highly moral one for democratic states to pursue.

There is another potential guideline for morality, which I will show to be fallacious. This is the overarching concern that although the international system is anarchic, it consists of many peer sovereign states which would ideally not interfere in each other's affairs. The UN Charter does "forcefully define the right of self-determination" to sovereign states.[21] However, there are exceptions to this, most notably, the right to self defense, as granted to states by Article 51 of the UN Charter.[22] Violence may thus be considered moral only as a last resort, that is, assuming that there is a just purpose for its application. Often this takes the form of direct retaliation for what may be considered a previous act of violence, as in the case of the US entry into World War II after Pearl Harbor had been attacked. Few would disagree that retaliatory violence is acceptable. And yet, this notion of non-interference cannot be the basis for morality within the international system, because "we [the United States] openly interfere with other nations all the time by means of USIA releases, grain embargoes, restrictions on the transfer of technology, trade barriers, threats to countries that harbor terrorists, diplomatic pressure, and so on."[23] As well, persons engage in these same activities on an individual scale constantly, but these activities are clearly not thought of as being immoral. The consideration that violent interference is acceptable only as a last resort fits entirely within the rubric of seven characteristics regarding the morality of violence.

In any case, *jus ad bellum* extends to the form of preemptive self-defense as well, meaning that a state may consider it just to engage in a pre-emptive strike against a potential aggressor in anticipation to an imminent attack. This is what occurred during the Six-Day War in 1967, when Israel preemptively attacked Egypt, which had been amassing troops along its border. If this response was morally justified, then any lesser form of violence which targeted the same group of persons who were threatening the security of Israel would have been justified as well. That would have made the then-president of Egypt, Gamal Abdul Nasser, a morally targetable combatant. And yet, such an act would have produced a significant international outcry. For what reason would this have happened? Political scientist Ward Thomas notes "ethical concerns usually place assassination off limits as a policy option, especially when the target is a national leader."[24] This is descriptive of the current normative attitude of international relations, but it is not itself normative. Although there were no attempts on his life, the counterfactual assassination of Nasser by Israel would have been a moral action because it would have been committed with a just purpose—that of minimizing the loss of human life—done only as a last resort, and focused upon an appropriate target. As well, such an assassination would have passed far below the threshold of acceptable proportionality, as the war itself was a justifiably proportionate action, and could have been done with a higher probability of success than a simultaneous war against three larger enemy nations. Thus, I have shown that this instance of assassination would have been a moral act of preemptory self-defense.

So it has been established that states will consider engaging in political violence when justified in response to a violent act, whether fait accompli or a future threat. With just

cause having been shown, I will now illustrate that democratic assassination fulfills just intention. Greg Woolf from his studies of political assassination in the Roman empire, holds that assassination should be avoided because it lacks a reasonable likelihood of attaining success, and also is immoral because it is done with only power as an aim. I will discuss his argument regarding how successful political assassination is below, and here only focus on whether democratic states can show proper intention in assassination.

Another criticism of assassination involves parallels drawn between policies of assassination and terrorism. This analogy attempts to show that democratic assassination can never have proper intention, just as terrorists' strategy of indiscriminate killing belies their purported aim of seeking to end unjust violence. When terrorists kill, it is not just the fact that they are engaging in violence that is immoral, but their methodology is in error as well. They explicitly target noncombatants, people who are not actively engaging in violent policies for which violence would be an appropriate response. Their victims are often weak and unarmed, and do not have the will, or the capacity, to fight back. Additionally, terrorism is unjust because it seeks to engage in violence qua violence, in order to completely undermine the functionality of their target population. There is nothing rational that their victims can do that permits them to change their status of being targeted by terrorists. For example, Hamas is committed to the complete and utter destruction of the state of Israel and its population,[25] whereas when violence is used legitimately the purpose is not the pursuit of violence itself; rather, aim is to create a realistic policy change. When democratic states engage in violence, they do so only as a last resort; their purpose is not to create a perpetual system of fear. In the case of the Persian Gulf War in 1990-91, the United States-led coalition would have ended hostilities

had Saddam Hussein withdrawn from Kuwait, whose sovereignty he violated by annexation. As well, surrenders are accepted. A feasible policy of assassination requires that an antagonistic leader is targeted not because of who he is, but because of what he does, that is, on account of the violence he perpetrates.

Similarly, political scientists and historians have noted that the intentions of assassinating state leaders can be moral, as in the case of tyrannicide.[26] But they concede that often political assassinations have been conducted with less than just intentions. As such, people frequently assassinate prominent politicians not so much to "derail a political programme or punish a political opponent, as to capitalise on the celebrity status of the victim."[27] This would make such an assassination immoral, because just intention is not being shown. However, this is a primary reason that terrorists assassinate, and tyrants will do so in order to secure more power, as was in the case of Stalin's frequent purges of the communist party membership.

In short, tyrannicide and the targeted killing of terrorists are highly moral, because the right intention is shown through such assassination policies promoting the greater overall good by preventing future acts of illegal and generally overly destructive violence. While democracies famously deny that the end justifies the means, if war is held to be a moral means of preventing future violence, then assassination, which is less destructive by several orders of magnitude, is certainly a more justifiable action.

The question of whether states have just authority to engage in policies of assassination is easily answered merely by considering the international system itself. As indicated above, states and their agents are considered to be the only legitimate actors within the international system, and thus, as they are afforded the right to employ war as

a means of violence, then they are surely justified in being the proper authorities who can decide policies of assassination. Moreover, the victims of such assassinations are incidentally without authority to engage in their acts of violence. Sub-state terrorist organizations are not entitled to this authority by virtue of not being nations, and non-democratic leaders, insofar as they engage in illicit violence, that is, violence not undertaken in response to violence, lack sufficient legitimacy. In short, they do not act as liberal and democratic states do, which "claim not only a monopoly on legitimate violence, but also exclude violence from the everyday experience of their citizens, and themselves employ lethal violence only rationally and when absolutely necessary."[28] This statement also reinforces the notion that democracies engage in violence only when there are no alternatives. Whenever a policy of war is morally acceptable for a democratic state, then it is the case that an assassination policy is also acceptable, because in either case violence is being chosen after attempts at diplomatic coercion, trade agreements, international condemnation, and the like. In regards to both the criteria of authority and last resort, assassination can be thought of as being just as moral for democratic states to engage in as warfare.

Another tack that critics of assassination take is claiming assassination to be an especially immoral form of violence. Continuing in this vein, they crudely construct an argument in which they claim that assassination is in a class of its own, and is not acceptable except in response to another act of assassination, if it is even permissible then. But this argument does not hold weight, because assassination involves merely the killing of one person, who is decidedly guilty of incurring violence because he has engaged in immoral violence himself. In this way it can be thought of as the international equivalent

to capital punishment. While democratic states, with the notable exception of the United States, have eliminated capital punishment on their own citizens as a judicial policy, they do not have similar restrictions on their international policies and declare war and engage in other sorts of killing. Even Alfred Louch, who considers assassination generally immoral because it is a violent act, concedes that "we should be able to distinguish greater and lesser degrees of violence, or greater and lesser control over it."[29] Violence is not just a shapeless evil, but can be thought of as a continuum comprising different types, which differ in their level of immorality. From this I conclude that if it is morally unjust for innocent citizens to be punished for the immoral violence of their leader, assassination seems to be a lesser degree of violence than war. For the same reasons offered above, assassination can be a decidedly moral action when it is a proportionate response to violence engaged in by one person. It is all the more moral in this category than warfare is, because it lies far below the upper boundaries placed on international violence. In order to stop the policies of Adolf Hitler, and perhaps ten or twenty of the senior members of Nazi Germany, the Allies were required to wage the most internecine conflict the world had ever seen. Were those fatalities a proportionate outcome?

Similarly, when examined for its level of discrimination, assassination is clearly highly moral. While the new face of terrorism is indiscriminate, and authoritarian leaders can systematically engage in policies that severely restrict or end the lives of their denizens, assassination is by definition precise. Rather than aiming for or even tolerating collateral damage, it represents the minimization of the sphere of destruction. In fact, "utilitarian considerations would view assassination as the most moral and precise application of deadly force."[30] In Albert Camus's The Just Assassins, Yanek, a moral

terrorist, refuses to assassinate the unjust Grand Duke when he spots two children riding in the carriage along with the target. When Yanek is criticized for his hesitancy, one of his comrades responds "Yanek's ready to kill the Grand Duke because his death may help to bring nearer the time when Russian children will no longer die of hunger…But the death of the Grand Duke's niece and nephew won't prevent any child from dying of hunger. Even in destruction there's a right way and a wrong way—and there are limits."[31] These limits cannot be easily followed, despite international attempts to regulate warfare, which, even if it satisfies all the other criteria for morality, fails in being indiscriminate. This is all the more apparent in such cases during which democratic states engage in total war, for instance, the firebombing of Dresden and other major cities during World War II. [32] The detonation of atomic bombs on two Japanese cities was not a discriminate act of violence, either. Even in ancient times, when states' destructive capacities were fairly limited, Sun Tzu recognized the principle of proportionality in violence. He denounced the "annihilation of the enemy's army, the destruction of his cities, and the wastage of his countryside" as being neither justifiable nor practical policies of war.[33]

The last criterion of morality is the assurance that the violence chosen will have a high probability of success. I will only briefly defend this notion here, because I feel it is a vital component of the efficiency argument for assassination, and have accordingly afforded it more weight below. It should suffice to note that the historical record indicates that killing an individual, no matter how protected, is not terribly difficult if people are determined to do so. This matches the intuition that most people have in believing that "political leaders cannot really be protected against determined efforts to

kill them."[34] As well, although modern history is filled with notable failures of democratic states' attempts to assassinate, there have also been many successes. Because of the nature of secrecy regarding assassination, most successful assassinations would not be publicly known. Moreover, assassination is generally thought of as mainly a preemptive action, that is, one which is done in order to prevent future acts of violence. It is very difficult or impossible to gauge the counterfactual amount of violence that an assassinated leader would have engaged in had he lived. As well, many of these successes are also kept secret, whereas the failures are those situations in which the state erred, and permitted the target to discover (and generally publicize) the failures. The CIA's oddball attempts to assassinate Fidel Castro of Cuba come to mind here.

It may be concluded, then, that when these seven criteria are satisfied, assassination may be thought of as being a highly moral act. Strikingly, it outstrips warfare and other forms of political violence practiced by democratic states. Insofar as these other forms of violence may be considered moral, when considered from a consequentialist perspective of morality, assassination is at least equivalent to them, if not highly preferable.

CHAPTER 5: ASSASSINATION AS LEGAL

There is a second concern regarding the morality of assassination, namely, that of legality. Many of the arguments against assassination tacitly acknowledge utilitarian considerations of morality and allot that these arguments are convincing. And yet, they claim that such an activity is not wrong per se as much as it is immoral because it has such an action would contravene international agreement. Although there are no international laws against or even which address assassination, these agreements are

interpreted to be binding on the use of assassination.[35] By conducting policies of assassination, the United States would be a de facto outlaw nation using extralegal force. Additionally, there is another self-imposed ban enacted within the United States, Executive Order (EO) 12333, whose paragraph 2.11 reads: "No person employed by or acting on behalf of the United States Government .shall engage in, or conspire to engage in, assassination."[36] Prima facie there may be a legal problem with assassination. And yet, I will show that there are indeed no international restrictions on assassination, and that EO 12333, while a formal legal restriction, is not based upon any underlying moral foundation and additionally has been broken numerous times by its own government. EO 12333 should be repealed, as it holds no weight and is an anachronistic regulation which is derived from similarly obsolete casuistry created by self-serving elites in the medieval period. Thus, the United States, and any other democracy may engage in assassination without any fear of legal consequences.

There are four international agreements which have been interpreted as pertaining to assassination.[37] These are the Hague Convention of 1907, the UN Charter, the Geneva Convention, and a 1973 accord entitled "Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents." Although the Hague Convention is the earliest of the four, and in fact has influenced the others, I will address it last in order to attack the root of this argument against assassination after removing its branches.

As mentioned above, the UN Charter permits the right to violence to states whenever they are threatened with violence themselves, and makes no specific mention of assassination. As a result, provided all the justifications for violence have been met, then

a state may permissibly assassinate the enemy leader instead of having to wage war against his entire nation, as he is has become an official combatant by being responsible for his state's policies of violence. As well, because terrorists put themselves on the battlefield as combatants, their infrastructures may be reasonably and legally targeted without violating any sort of ban on assassination.[38]

The Geneva Conventions of 1949 were created in response to the atrocities committed against civilians in World War II. Their intention was to ensure that non-combatants as well as legitimate combatants who are incapacitated or wounded would be protected from receiving violence during wartime.[39] However, these accords to not apply to illegal combatants, that is, those who engage in violence, but do not wear uniforms, openly carry their arms, nor conduct military operations in accordance with customs and laws of war. Nor do these accords forbid the specific targeting of legal combatants as long as they are armed and have not been already incapacitated by injuries. Thus, the Geneva Conventions do not prohibit the assassination of violent state leaders, who do not fall under the category of non-combatants civilians nor injured and unarmed soldiers. Sub-state targets are also legitimate, because international measures of war only pertain to mass armed conflict between states. Similarly, the Geneva Conventions, in speaking to only policies of state war, do not prohibit peacetime assassination.

The 1973 Convention mentioned above was intended to ensure that governments can still function during wartime. It thus placed bans on attacks against heads of state while they conducted formal functions, effectively making them ambassadors, or internationally protected individuals. Nevertheless, insofar as heads of state are the commanders-in-chief of their militaries, they are considered legitimate soldiers and may

thus be licitly assassinated. Although there has been a general international reservation against the assassination of leaders as a wartime strategy, "international experts agree, however, that once armed conflict begins, heads of state who have tactical control over their armed forces are legitimate targets for lethal force."[40] As this Convention only extends to legitimate governments and intergovernmental organizations, it does not afford any protections to terrorists and other violent sub-state actors.

Article 23b of the Hague Convention states, "It is especially forbidden to kill or wound treacherously individuals belonging to the hostile nation or army."[41] This is taken to be a ban on assassination, and indeed 'treachery' and related words like 'barbarism' and 'outrage' are frequently encountered in the rhetoric of scholarship and legislation condemning assassination. But 'treachery' is not well-defined within the literature relating to assassination, and appears to me to be more of an emotional reaction than a rational consideration of assassination. This "idea of 'treachery' is central to much of the negative connotation associated with assassination; it implies something intrinsically unfair and deceitful."[42] And yet even while democratic states attempt to champion ideas of fairness within the international system, they also must recognize that the constraints of realpolitik require them to constantly struggle to obtain and assert their power. Nor is deceit so alien a notion to international affairs, for all states withhold information in conducting diplomatic negotiations. Moreover, every state engages in intelligence operations, which by their very nature are covert, or at least ought to be in order to be effective. These are not components of statecraft which will be abandoned, regardless of whatever moral argument can be cast against them, because they have been proven throughout history not merely highly useful but indispensable. In his essay entitled

"Kissinger and His Critics," Walter Laqueur sarcastically concludes that because "Americans dislike secrecy, propaganda, and covert action…U.S. foreign policy ought to restrict itself to dealing with friends."[43]

Furthermore, 'unfairness' and 'deceit' are standard features of effective warfare. Though Dante Alighieri wrote at a time rife with assassination, in which numerous factions were vying for power amongst the Italian city-states, in his *Inferno* he placed Odysseus quite low in Hell as punishment for 'unfairly' ending the Trojan War by means of artifice. Sun Tzu commended clandestinity, noting that "secret operations are essential in war; upon them the army relies to make its every move."[44] Even were I highly critical of assassination 'treacherous political killing', it would not follow that it is less inherently moral than warfare.

I thus conclude that international regulations do not prohibit democracies from engaging in wartime assassination. Moreover, because war is merely a legitimate application of violence in response to illegitimate violence, then situations in which war is allowed internationally are also those in which assassination would be allowed as well. In then follows that assassination is not a policy only to be carried out during periods of warfare, but rather a separate tool of policy, making targeted killing during peacetime a thoroughly legitimate operation, so long as the general moral justifications for violence have been met. Moreover, none of these regulations, including the Hague Convention, speaks in condemning peacetime assassination.[45]

Although international laws do not prohibit the use of assassination, in 1981 Ronald Reagan signed Executive Order 12333, making assassination illegal by any United States citizen. The self-imposed ban is derived from the earlier Executive Order 11905, issued

by President Gerald Ford in 1976 in response to the findings of the 1975 Senate Select Committee on Intelligence that the United States had engaged in numerous assassination attempts in the 1950s and 1960s. Ford felt this Executive Order was necessary in order to "stave off the public demand for Congressional termination of the CIA and all covert operations."[46] However, the effect of this ban has not been for the general moral good of the nation nor the international community, but rather a weakening of the United States' ability to engage in justified political violence. This stricture has further backfired on the United States, because the creation of such a regulation only perpetuates the unfounded norm that there is something morally wrong with assassination. As well, the United States government has engaged in numerous assassination attempts, clear-cut violations of EO 12333, undercutting both its own credibility within the world and its esteem in the minds of its citizens. Sheldon Appleton's study of public opinion on assassination shows that "in the United States and in 39 other countries surveyed, most citizens are agreed that political assassinations can never be justified."[47] In turn, this loss of confidence poses a significant impediment in the successful execution of an assassination policy. Again, as demonstrated above, even if disagreeable vis-à-vis the current international norm, assassination is not an inherently immoral practice and is in numerous ways morally superior to warfare.

So assassination is clearly not illegal, at least outside of the United States, but perhaps it ought to be because such a policy does violate current international norms. However, the argument that assassination violates norms and is thus immoral has an obvious weakness: it assumes there is something inherently moral about all norms. A discussion on the degree to which the law is based upon morality is heavily debated and

unfortunately outside the scope of this essay. However, the law prohibiting assassination is in this case not a moral stricture, but rather one which developed from laws of chivalry and the powerful attempting to insulate themselves from political violence against which they could not defend themselves.[48]

Ward Thomas does an excellent job in tracing the history of the development of the international norm against assassination, although he disagrees with me in thinking that this norm is based upon moral principles. Nevertheless, he does acknowledge that the norm has been supported throughout much of its development by powerful states, because "the prohibition on assassination reinforces the position of great powers relative to other states and nonstate actors."[49] However much this norm currently influences states' actions, it is not morally binding, and has weakened in the wake of the terrorist events of 9/11. Those events have made the United States and other democracies highly conscious of their vulnerabilities to violent sub-state organizations. As well, the norm restricting the targeting of state leaders has eroded "with the reemergence of international nonstate violence and the rise of the idea that national leaders should be held personally accountable for the consequences of their policies."[50] Assassination is not only morally justified, it is also permissible within the international community, and has only developed a pejorative connotation from those writings endorsed by powerful states, who stand to benefit the most from imposing a normative structure that favored the conventional balance of power.

And now, I have shown that political assassination can be a moral act for democracies to engage in, both because it fulfills moral considerations and because assassinating does not break any international laws. This now brings me to the issue of the practical

consideration of political assassination, namely whether it works in bringing about its desired political aims. Democratic states may thus be permitted to use assassination in situations where violence is necessitated, but should they?

CHAPTER 6: THE EFFICIENCY ARGUMENT

While I certainly believe that the morality of assassination is worthy of study, there are those who disagree, and believe that only the efficient result is what is important. "In recent years, as distinctions between state and society, guilty and innocent have seemed less important, the 'pragmatic' criterion of political action has grown to be virtually the only common idiom of discourse in international relations."[51] I do not hold this, but I acknowledge that as much of my moral argument for assassination is founded upon utilitarian calculations, the pragmatic aspect of assassination features quite prominently in such concerns. At any rate, while it has been seen that assassination is morally justified, it remains for it to be shown that it is efficient. By this, I mean to answer some of the attacks levied against assassination which criticize it as being ineffective at realizing policy goals, or worse, counterproductive. Assassination may be inefficient if the attempts themselves are rarely successful or if its planning and execution require an inordinate amount of resources including time, money, and manpower. Assassination may also be inefficient if there are strong institutions within the target's state or organization which ensure that responsibility for policies is spread amongst a large group of leaders. The elimination of one leader would not ultimately accomplish much in terms of altering policy, because he would be easily replaced by a similar leader. Because assassination entails some important political consequences, a justifiable

purpose requires that it be at least somewhat effective in theory, if not also in actuality. Critics also contend that assassinations have a low likelihood of success and as a result should not be practiced because they tend to fail. Although the majority of assassinations are unsuccessful, this number primarily includes attempts undertaken by individuals and small organizations, with little in the way of resources.[52] A brief glance at several prominent cases of assassination will indicate that assassination can be efficient. Moreover, those situations in which assassination has failed are the results of lukewarm resolve, insufficient planning, or inadequacy of resources. As well, these are problems which potentially recur in all forms of human endeavor, and are not symptomatic of assassination itself. I do not claim assassination to be a perfect policy tool, but only that it is generally an effective and an inexpensive one. The factors suggest that democratic states which do devote significant resources, resolve, and planning can expect their assassination policies to be highly successful.

CHAPTER 7: ASSASSINATION AS EFFICIENT

The international system is vast, dynamic, and ultimately unpredictable. There are hundreds of countries, thousands of prominent political leaders, and myriads of integral sub-state, all of whom potentially have the ability to affect the entire world. Politicians and political aspirants in even rather weak nations can create policies which produce true regional impact, and consequently, global repercussions.

The major premise behind assassination is that the elimination of an undesirable political actor will create a policy change. Because prisoners can be released, exiled leaders can return to power, and those without financial means can become wealthy,

international policies which aim at jailing, denigrating, or removing the financial base of enemy politicians in order to supplant them can become reversed. As well, such policies often require long-term commitments and also involve a significant amount of uncertainty. The same is true of more constructive policies—promoting economic trade or working through democratic channels can be very slow and indirect. As a result, the most surefire, direct, and quick way to eliminate a politician is to do so permanently, through assassination. This is especially so if the politician does not appear to be diplomatically responsive, and is wedded to the idea of using violence, such as in the case of an authoritarian or a terrorist. Lastly, assassination seems to be the cheapest and the easiest manner of changing policy, if indeed there are as effectual alternatives. Because assassination is more targeted and only involves the death of one or several individuals, it is preferable to war, economic sanctions, international denunciation, or other forms of political tools currently available to democratic states.

But these are ideals. What does the actual historical record of assassination indicate? Scholars are divided in their understanding of assassination's effects. Benjamin Disraeli famously said that "assassination never changed the course of History." Elie Barnavi notes that policies are often far larger than the heads of state in stating "French absolutism survived the killing of Henri III and Henri IV…Charlotte Corday's knife killed Jean-Louis Marat, but not the Jacobin Revolution; it is not the assassination of Hendrik Verwoerd that put an end to the apartheid regime in South Africa; and the killing of Anwar Sadat did not carry off the 'infidel' presidential regime in Egypt."[53] Greg Woolf considers that assassination often fails to achieve its goals by remarking upon "the futility of Brutus' dagger, and the awesome power of Caesar's vast ghost."[54] Francis

Ford believes that assassination is in some way an unwieldy tool to employ, "given the impossibility of predicting with assurance the full range of its consequences, [and is] a highly unreliable expedient."[55] Michael Gross views assassination to be counter-productive because it encourages retaliatory violence, which in turn spirals off into an even greater response, ad infinitum, as its effects "are insidious, corrosive, and widespread, and obstruct the road to peace."[56]

But others believe it to be quite the opposite. Machiavelli cautions his prince that even if violence and assassination are evils, they are lesser ones which are quite effective in practice "for if one considers well, it will be found that some things which seem virtues would, if followed, lead to one's ruin, and some others which appear vices result in one's greater security and well-being."[57] Sheldon Appleton believes that "the impact of assassinations on America and the world is incalculable."[58] LTC Victor Irvin notes that assassination has survived the test of time because it has been a reliable form of political violence for thousands of years.[59] And Daniel Statman denies that there is any evidence indicating that assassination is counter-productive.[60]

I will first consider the case of Israel's assassination policies in its fight against Palestinian terrorists. During the al-Aqsa Intifada which began in 2000, Israel tried numerous policies which aimed at minimizing civilian casualties. These actions included sieges of refugee camps and the bulldozing of private homes. However, none of its actions "elicited greater outrage in the international community than Israel's policy of assassinating Palestinian militia leaders."[61] Moreover, these assassinations were often followed by terrorist attacks against Israeli civilians. The counter-productivity arguments made against assassination are largely concerned that assassination will create an

increasing spiral of retaliatory violence. Or, the assassination may backfire and create a martyr of the victim. As well, an assassination may also bring about a more violent, antipathetic successor to the eliminated leader. "Once terror begins it is very difficult to halt it. Assassination calls for vengeance or retaliation, terror releases counter-terror. A tragic chain of reciprocity, once initiated, cannot be easily stopped, since it is motivated by strong emotions."[62] Yet critics of this viewpoint argue it is near-sighted citing that "in the short run, killing terrorists might be followed by acts of revenge, but, in the long run, there is good reason to think that such killing will weaken terrorist organizations, cause demoralization among their members, limit their movements, etc."[63] Although the al-Aqsa Intifada is still going on in a rather attenuated form, it seemed to largely settle down after a span of a few years owing to a series of at least forty assassinations of prominent Palestinian militants.[64] Simply put, assassination is a productive course of action to follow because it concentrates violence against a few prominent targets who provide a high degree of influence in the direction that their policies of violence take. In situations in which the leaders are highly charismatic, possessing special skills, or when their organizations are highly hierarchical with a weak institutional structure of succession, these persons cannot easily be replaced. In such scenarios assassination is unusually expedient, more so than it is normally.

Ward Thomas is an opponent of democracies pursuing policies of assassination, and cedes that assassination seems convenient for solving very difficult problems, although the frequent practice would "hasten the destigmatization of the practice in the international system as a whole."[65] But if this is the only effect, then it is not quite as bad as Thomas fears, because authoritarian states and terrorist organizations do not restrict

themselves to the rules of the international system,[66] and such a 'destigmatization' would only increase the ability of democracies to utilize appropriate and expedient force. Michael Gross indirectly concedes that institutionalized assassination policies favor democratic states when he considers a pragmatic argument for Israel not engaging in assassination. He acknowledges both that the most compelling reason for banning assassination is self-interest because "belligerents are unwilling to endanger their own leaders by assassinating those of their adversaries" and that "with the exception of a single Israeli minister assassinated in October 2001, the Palestinians have been unable credibly to threaten any Israeli leader."[67]

With regards to the United States, there have been many situations in which assassinations have led to successful policy changes. Although it is difficult to prove American involvement in the cases of the deaths of Rafael Trujillo in the Dominican Republic, Ngo Dinh Diem in South Vietnam and Rene Schneider in Chile, these are instances of highly successful assassinations.[68] Unfortunately for the purposes of study, an integral feature of successful assassination is that the link between the act and the assassinating government is not revealed. As a further example, successful assassinations of Palestinian terrorists are never claimed by the Israeli military, but instead involve deniable 'accidents.'

The best-known instance of American assassination is the operation carried out by the US Navy in 1943 which successfully killed Japanese Admiral Yamamato. This assassination was instrumental in crushing the Japanese ability to fight in the Pacific Ocean, though the operation was carefully ruminated over by policy makers. Because the assassination effectively revealed to the Japanese that the United States was able to read

their naval codes, "the mission was not approved until it was certain that no better commander would replace him and that his death would significantly affect Japan's ability to wage war."[69]

Sometimes assassination fails in its execution. Qaddafi's residence was bombed in 1986, during the Gulf War the United States military attempted to assassinate Saddam Hussein, and Osama bin Laden was targeted with cruise missiles in 1998.[70] But these were attempted with little opportunity cost, and had little in the way of a negative result, except possibly steeling the leader against future assassination attempts, making them that much harder to pull off.

Another way that the success of assassination may be considered is by means of a thought-experiment. Critics have raised concerns that assassinations may fail if the successor proves to be more violent and antagonistic than the victim. Yet this seems to be counterfactual. The transitions of the most extremely violent and authoritarian leaders in history, especially Hitler, Mao, and Stalin, have been highly positive ones, or at least significant improvements. From this, I argue that had these persons been assassinated, similar outcomes would have followed, but because they would have died earlier, their brutal policies would have afflicted fewer victims. As well, since these leaders would be the prime candidates for potential assassination by democracies, though they were not killed in this way, their successors were far 'better' from the perspective of democracies throughout the world.

Despite a rather abundant record of failed American assassination attempts, none has been as pragmatically counter-productive as failed military conflicts, such as the Korean War, fought to a stand-still, and which has led to the brutal oppression of millions

of North Koreans and also threatened world security through Kim Jong-Il's persistent attempts to obtain nuclear weapons. The Vietnam War, arguably the first true American defeat, resulted in the deaths of 50,000 Americans and over a million Vietnamese, without the attainment of any of the United States' objectives. Moreover, it was highly counterproductive in projecting American force because it led to an American policy of isolationism while the Soviet Union expanded itself aggressively. Notwithstanding the American victory over Saddam Hussein's forces in 2003, current failures to subdue the insurrection in Iraq have been not been forthcoming and have certainly been counter-productive by incensing the international community, Iraq's citizenry, and even the majority of Americans.

For democracies, assassination is certainly more efficient at obtaining their political aims in comparison with war. Warfare requires huge expenditures in manpower, lives, opportunity costs, economic productivity, and often is devastating to its infrastructure. In short, war is needlessly costly and destructive. Assassination is a model that can better handle the aims of war, while simultaneously providing far less collateral damage. Even if an assassination policy were to fail, relatively few resources have been expended in the effort, and there is little in the way of international ramifications. Victory is the ultimate object of war, and no lengthy military operation, no matter how elegant or overwhelming, is as effective as a well-planned assassination. As Sun Tzu declared, "to win one hundred victories in one hundred battles is not the acme of skill. To subdue the enemy without fighting is the acme of skill."[71] Assassination is the minimal and best way to accomplish this.

In some situations, assassination of an enemy leader may be ill-advised. These include situations in which there would be a counter-productive loss from the elimination of an inept leader. For example, during World War II, Britain had engaged in several assassination attempts against Hitler, even as late as 1945. However, "the British abandoned the plan not because of moral qualms or concerns about success but because they decided that Hitler was so erratic as a military commander that he was an asset for the Allies."[72] However, had Hitler been assassinated far earlier, before the war broke, it is likely that the whole conflict would have been averted. Admittedly, it is difficult to construct a metric to find how many lives will be saved through undertaking a potential assassination, but the same problem occurs in any field of human endeavor, because we lack perfect knowledge about the full consequences of our actions. The Iraqi insurgency of 2004 was not foreseen by American policy leaders, and yet the invasion of Iraq was undertaken despite a lack in this prescience. It is another simple failing of humanity to be added to our other limitations in industriousness, in morality, and in capability. But we should not feel paralyzed from making any decision whatsoever and acting in some capacity on account of these lacks. The argument made by some critics that assassination is too unpredictable to be useful is simply erroneous.

I acknowledge that violence is a generally undesirable policy, but it still has its place in extreme circumstances. If all violence is inherently immoral, then it follows that democratic states, by dint of being interested in following moral stricture, would completely disarm themselves and accept foreign interference or even invasion. But no state, no matter how trusting of the others or secure in the inherent virtues of its morality, would dare to follow such a policy. Aharon Barak states quite well that there is a higher

morality in self-preservation, and that blindly following an absolute restriction on violence is neither sensible nor desirable. He points out that such a policy is a passive form of suicide. "Voltaire's dictum—'I do not agree with your opinion, but I will defend your right to express it with my life'—is not precise. I am not obliged to defend with my life your right to utter words that will lead to my death. Democracy is not obliged to commit suicide in order to prove its validity."[73] Moreover, even if there were no threat to democratic states as a result of their self-disarmament policy, what is the mechanism that would punish those who chose to violate this self-imposed constraint, and how would democracies ensure the moral conduct of those authoritarian states which did not restrict themselves in this way? It would be unduly optimistic for anyone to assume that there would be no violations, "for when there is no world sovereign legal authority capable of enforcing such codes, they remain mere embryos of a global human rights regime in a more ideal world. Hence…those who put their faith in the present laws of war regime as a foundation for restraining or suppressing terrorism by factions are building on sand."[74]

Realpolitik cynically suggests that the only truly effective way of carrying out a policy change is via violence. If the mere threat of force is insufficient, an assassination is the most moral way to cross the boundary and actually employ it. Both the moral and the pragmatic aspects of assassination render it far more justifiable than warfare, and in any situations in which warfare is justified as well as efficient, a fortiori an equivalent policy of assassination should be practiced.

Assassination is the first alternative of the last resort—once a decision has been made to utilize violence, then assassination should be considered above all other forms of force, such as embargo and war, because the positive effects are potentially the same (or higher,

because of the immediacy of assassination) than that of doing nothing, or engaging in an embargo (which historically have not proven especially effective.) Moreover, the negative cost is the least with regards to assassination—very few people are killed, ideally, only the target or targets. Collateral damage will be likely under a dozen persons, whereas collateral damage for an embargo can be on the order of hundreds of thousands of lives, as the United States did against Iraq between the Gulf War and the Iraqi War. War also generates far more casualties, and brings about other costs, economic, time, and destroys resources that could have been preserved. Thus, assassination should be the first choice when a democratic state decides that violence is necessary, and has no recourse to a diplomatic, economic, or international alternative which can effect the desired change.

CHAPTER 8: CONCLUSION

Political assassination is as much a moral issue as it is a pragmatic consideration. Military strategists, political scientists, leaders, and historians in every culture have all philosophized for thousands of years regarding assassination. They have differed about exactly how prominent a role morality should have in these considerations. But even the sometimes wrongly-maligned Machiavelli acknowledged that his Prince should engage in certain lesser acts of violence only for the benefit of deriving a much greater good. And these thinkers have generally agreed that violence, when used in a deliberate and focused fashion, is an effective tool of statecraft.

Assassination is the quintessential model for deliberate and focused violence, and insofar as a political act of violence necessitating the taking of a human life is moral and effective, then assassination is both more moral and more efficient than any other means

of violence. This is not to say that violence should be the first resort for democratic states, but that, contrary to what is commonly held, when democracies must engage in violence, assassination should be their primary option, not their ultimate one.

"With the demise of the Cold War, virtually all the major problems that afflicted great power relations over the last half-century have been resolved." A new class of threats has arisen in their stead, in the form of 'rogue states' and terrorists who threaten to drown the world in chaotic and subversive violence.[75] Faced with this difficulty, democracies require a new expedient in order to effectively maintain security. Political assassination is a powerful tool for democracies because it is the most responsible method for a modern state to employ violence. Assassinations are highly moral because they per se minimize the destruction done to human welfare and lives; they are unbloody, and cause little in the way of collateral damage. As well, assassinations are highly efficient, because they are inexpensive in contrast to policing actions or formal wars, and have fewer negative international repercussions. Most importantly, assassinations are political violence which has been specifically honed against the main source of opposition, and have been shown to be effective in creating policy changes. They are especially useful against terrorists and antagonistic totalitarian leaders, with whom there is little or no alternative of diplomacy, negotiation, or other non-violent act.

My conclusions differ from those of many political theorists if only because the ancients and the medievalists lacked systems of democracy, and modern political scientists, though rightly condemnatory of political violence, have only begun to study effective alternatives to war.

This essay has been normative as much as it has been descriptive. The history of assassination, although mixed with failed attempts, unforeseen consequences, and complications, nonetheless unilaterally shouts that democracies should consider employing it as a tool. I do not hold that democratic states must always assassinate their enemies, nor that they should engage in assassination policies thoughtlessly, nor consider assassination their only politically violent tool. But assassination is a much more efficient and morally justified means of international policy than war, and while it is too late to go back and not conduct past wars, future conflicts will be far less common and less bloody if careful consideration of assassination is given.

Democratic state-sponsored assassination is both morally- and practically-justified in many situations and should thus be considered practicable. It is especially necessary and effective against tyrannical and terrorist leaders. However, assassination cannot be used against foreign democratically-elected or non-violent leaders, because "the leaders that would be considered targets are not in democracies; they are in states where the mechanisms for political succession are ill defined or subject to contest. One thug could replace another. Thus the gain would be too little, while the risk to international reputation would be great."[76]

Thus, the effectiveness of an assassination is directly proportionate to the institutional strength of the target's state or organization so that the assassination of democratic leaders would not have any significant consequence in policy achievement, whereas in the case of assassinating an authoritarian leader, the overall likeliness that this would significantly alter policy is very high. The same would be similar in the case of an assassination of a sub-state leader, if it were a weak organization, such as a terrorist

group. The fluidity of the basis of legitimacy in these weak states or organizations is what maximizes the potential for an assassination to have a significant effect in altering policy.[77] The more authoritarian the premier, and the more charismatic the terrorist leader, the more effective the assassination will prove.

Democracies have learnt that they must tolerate disagreement in general and their opponents themselves, so long as they do not engage in violence. The international system functions under the assumption that states have the right to ensure their own courses with as little restriction as possible. Seen in this way, significant interference in the affairs of other states, or organizations, is generally inappropriate, as it denies the opportunities for self-determination. Similarly, forms of exerting power, such as coercion, even without the threat of force, may perhaps be a violation of the international system. So, too, are covert actions. But in general, these actions are not quite as intrusive, as severe, as pervasive, nor as destructive as acts of violence. This especially includes war, which although conventionally practiced and excused, is as great a political evil as can be considered.

For this reason, assassination is the minimal form of violence that can be employed with any certainty of obtaining one's political objectives, and yet these effects are both precise and significant. When the lines of international sovereignty must be crossed through the application of violence, there is no better way than by the use of assassination to do so, should a situation necessitating violence arise. As democratic citizens, we can know that our system is superior to that of an authoritarian or a terrorist organization, because we question applications of violence and understand that it is the least desirable course of action, not the most. But we accept this, not without a little humility born of a

general respect for the rights of others. Though we strive towards this goal, as Alfred Louch has said, "unless we are fanatics, we don't believe that a perfect society is possible."[78] Nevertheless, this struggle will become a little easier and a little more attainable for democracies if they adopt assassination as a preferred policy tool, reserving war for only extreme scenarios. After all, "no country has ever benefited from a protracted war."[79]

APPENDIX A: BIBLIOGRAPHY

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[8] For example, in Michael Gross, supra.

[9] For example, see Laqueur, Walter. The Age of Terrorism. Boston: Little, Brown and Company, 1987, p. 311.

[10] For example, see Ford, Franklin L. Political Murder: From Tyrannicide to Terrorism. Cambridge, Massachusetts, and London, England: Harvard University Press, 1985, pp. 101, 125, 381.

[11] Mueller, John, and Karl Mueller. "Sanctions of Mass Destruction." From *Foreign Affairs*. Vol. 78, No. 3 (May/June 1999), p. 44.

[12] Woolf, Greg. Et Tu, Brute? The Murder of Caesar and Political Assassination. London: Profile Books, Ltd., 2006, p. 64.

[13] Thomas, p 107.

[14] Lowenthal, Mark M. Intelligence: From Secrets to Policy. Washington, D.C.: CQ Press, 2006, p. 266. This rubric is taken from a chapter in which the author is specifically addressing the moral conduct of intelligence operations, of which assassination is a member. However, I see no reason why this set of guidelines cannot be extended to consider the moral appropriateness of violence, or for any action.

[15] Naftali, Timothy. Blind Spot: The Secret History of American Counterterrorism. New York: Basic Books, 2005, p. 147. The six components of the Weinberger Doctrine are: 1) "The challenge should be vital to our nation's interest." 2) "Forces should only be committed overwhelmingly and 'with the clear intention of winning.' " 3) "Forces should be used in support of 'clearly defined political and military objectives.' Only forces sufficient to achieve those objectives should be sent." 4) "The relationship between US objectives and the forces deployed should be constantly reassessed." 5) "Before the US commits forces overseas, 'there must be some reasonable assurance we will have the support of the American people.' " 6) "The use of US forces 'should be the last resort.'"

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[18] Woolf, p. 52.

[19] Machiavelli, p. 80.

[20] Gauss, p. 26, introducing The Prince. Machiavelli holds that the validity of law is derived from force, and that states derive their authority from the same source.

[21] Zoppo, p. 144.

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[23] Turner, p. 86.

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[37] Mollo, p. 36.

[38] Lowenthal, p. 171.

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[42] Mollo, p. 10

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[47] Appleton, p. 497.

[48] See, for example, Ford, Political Murder: From Tyrannicide to Terrorism, and Thomas, pp. 111-121.

[49] Thomas, p. 107.

[50] Thomas, p. 131.

[51] Nathan, p. 132.

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[53] Barnavi, p. 4.

[54] Woolf, p.182.

[55] Ford, p. 388.

[56] Michael Gross, p. 365.

[57] Machiavelli, p. 85.

[58] Appleton, p. 495.

[59] Irvin, p. 17.

[60] Statman, Daniel. "The Morality of Assassination: A Response to Gross," p. 778. From *Political Studies*. Vol. 51, Issue 4, (December 2003). Pp. 775-79.

[61] Michael Gross, p. 350.

[62] Feliks Gross, p. 93.

[63] Statman, p. 778.

[64] Mollo, p. 59.

[65] Thomas, p. 131.

[66] Laqueur, America, Europe, and the Soviet Union: Selected Essays, p. 132.

[67] Michael Gross, p. 356.

[68] Berg, p. 2.

[69] Michael Gross, p. 361.

[70] Mollo, p. 2.

[71] Sun Tzu, p. 77.

[72] Lowenthal, p. 170.

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[75] Mueller and Mueller, p. 43.

[76] Lowenthal, p. 265.

[77] Mazrui, p. 48.

[78] Louch, p. 270.

[79] Sun Tzu, p. 41.